

REMARKS:

Claims 1, 32 and 39 are amended for purposes of clarity. As an example, claim 1 is amended to recite: "at least partially removing an effect of a transmit filter and a receive filter on the multi-path profile... that approximates an inverted amplitude or power response of the transmit filter and the receive filter." No new matter is added.

Claims 1, 2, 4-14, 16-23 and 26-41 are currently pending with claims 1, 4, 10, 17, 21, 26, 32, 33, 34 and 39 being independent claims. Claims 3, 15, 24 and 25 were previously canceled without prejudice or disclaimer.

The allowance of claims 4-14, 16-23, 26-31 and 33-38 is noted with appreciation. The Examiner objected to claims 40 and 41 as being dependent upon a rejected base claim. It will be shown below that the independent claim from which these dependent claims depend is allowable over the references cited by the Examiner. However, the Applicant reserve the right to amend one or more of these dependent claims to be independent claims at a later date.

The Examiner rejected claims 1, 2 and 32 under 35 U.S.C. §102(e) as being anticipated by *Shan* (U.S. Patent Application Publication No. 2004/0223540). *See pp. 2-4 of the Office Action.* The Examiner rejected claim 39 under 35 U.S.C. §103(a) as being unpatentable over *Shan*. *See p. 4 of the Office Action.* These rejections are respectfully disagreed with and are traversed below.

Amended claim 1 recites in part: "at least partially removing an effect of a transmit filter and a receive filter on the multi-path profile... that approximates an inverted amplitude or power response of the transmit filter and the receive filter."

In paragraph [0052], *Shan* states: "As mentioned previously, the inverse filter 36 operates to substantially cancel the effects of **the pulse creation operation in the transmitter 18.**" *Shan* does not disclose or suggest using the inverse filter 36 for any other purpose, nor would any such other purpose be obvious from the disclosure of *Shan*.

As such, *Shan* cannot be seen to disclose or suggest "at least partially removing an effect of a **transmit filter and a receive filter** on the multi-path profile... that approximates an inverted amplitude or power response of **the transmit filter and the receive filter**," as recited in claim 1.

The features recited in claim 1 are not disclosed or suggested in the cited art. *Shan* does not anticipate claim 1. Therefore, claim 1 is patentable and should be allowed.

Though dependent claims 2, 8, 9 and 38 contain their own allowable subject matter, these claims should at least be allowable due to their dependence from allowable claim 1.

Independent claims 32 and 39 recite subject matter similar to that of claim 1 noted above. For the same reasons stated above with respect to claim 1, claims 32 and 39 are not anticipated or rendered obvious by *Shan*. Claims 32 and 39 are patentable and should be allowed.

Though dependent claims 40 and 41 contain their own allowable subject matter, these claims should at least be allowable due to their dependence from allowable claim 39.

Regarding the Examiner's Reasons for Allowance (see pp. 5-9 of the Office Action), the Examiner cites various claim limitations in his reasons. The claims are entitled to the broadest reasonable interpretation, including equivalents. Thus, the scope of the claims should include equivalents to the limitations explicitly mentioned by the Examiner in his Reasons for Allowance. This interpretation of the claims, to include the broadest reasonable interpretation, should also apply for purposes of the doctrine of equivalents. If the Examiner has not been giving the claim language the broadest reasonable interpretation (including equivalents), then the Examiner should address this issue further.


The Examiner is respectfully requested to reconsider and remove the rejections of claims 1, 2, 32 and 39 and to allow all of the pending claims as now presented for examination. For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application

S.N.: 10/743,851
Art Unit: 2611

Office Action Dated November 27, 2009

are clearly novel and patentable over the prior art of record. Should any unresolved issue remain, the Examiner is invited to call Applicant's agent at the telephone number indicated below.

Respectfully submitted:



Alan L. Stern

February 26, 2010

Date

Reg. No.: 59,071

Customer No.: 29683

HARRINGTON & SMITH, ATTORNEYS AT LAW, LLC

4 Research Drive

Shelton, CT 06484-6212

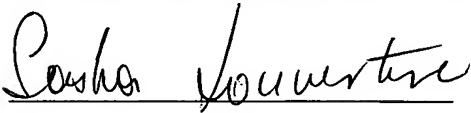
Telephone: (203) 925-9400 ext. 18

Facsimile: (203) 944-0245

E-mail: astern@hspatent.com

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Name of Person Making Deposit

2-26-2010

Date